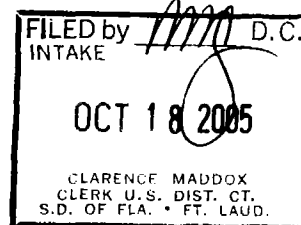


United States District Court  
Southern District of Florida  
CASE NO 00-6273 -CR -HUCK.

United States of America  
Plaintiff

✓  
Ariel A. Hernandez  
Defendant.



Motion Ordering Appellate Counsel Richard  
Rosenbaum to turn over all papers, CD's  
AND RELEVANT documents to Defendant  
Ariel A. Hernandez so he may file a pro se  
28 U.S.C 2255 motion

Comes now Defendant Ariel A. Hernandez  
pro se AND ASK this court to ORDER Appellate  
Counsel Richard Rosenbaum located at  
350 EAST LAS OLAS BOULEVARD, suite 1700,  
LAS OLAS CENTRE in Ft Lauderdale, Fla, 33301  
to turn over All documents, files, CD's, (1 ~~turnover~~)  
TRANSCRIPTS AND ANY AND ALL RELEVANT documents  
so that Defendant may file a 28 U.S.C. 2255

219  
(signature)

Defendant Avers The following.

1. Defendant has tried that phone calls AND Letters to get Appellate Counsel Richard Rosenbaum to provide documents AND transcripts from all The
  - A. Pre trial motion Hearings
  - B. Trial transcripts
  - C. Sentencing transcripts
  - D. A true AND correct Evidentiary Hearingtranscripts (The ones provided by This court are missing sections AND prejudicial statements ~~made~~ made by trial Judge Hucks at This Hearing.. Defendant has obtain Affidavits from All Defense Attorneys present at The evidentiary Hearing testifying that there are key parts missing from The Transcripts provided by Judge Hucks).
2. Appellate Attorney Richard Rosebaum wants This indigent defendant to provide him with monies to cover The cost of copying transcripts AND Any other documents AND or CD'S.  
This Court Knows This Defendant is indigent There fore CANNOT give Mr. Rosenbaum any money to cover costs

3. Defendant feels that he should not be asked for money by MR Rosenbaum, especially when this court provided him with documents, transcripts and C.D's free because Defendant is indigent.

4. Defendant has only 4 months left to file a 28 U.S.C 2255 motion AND it's important that his court order MR Rosenbaum to turn over everything he has on this Defendants case.

5. Defendant knows this court wants to be fair AND not lean only to the prosecutions side. AND should order the Facility to provide this Defendant with a computer to review his CD's. DADE County Jail has a computer available only with a court order, AND it's vital this court issue a order to provide me (this Defendant) with a court order to use the computer. to review his CD's IF MR Rosenbaum turns over his CD's to this Defendant.

Therefore This Defendant Asks This Court  
to enter a order compelling MR. Rosenbaum  
to turn over all documents, files, CD's and  
any other relevant documents and papers  
pertaining to This Defendants criminal case.  
(case no. 006273 CR-Huck.)

certificate of service

I hereby certify that a copy of the  
foregoing has been sent via U.S. Mail  
to the following individuals on this — day  
of October, 2005

1. Richard Rosenbaum ESG  
350 E. LAS OLAS BLVD suite 1700  
LAS OLAS Centre  
Ft. Lauderdale, FL 33301

Lawrence Leucchio U.S.A.A.  
Jeffrey Sloman U.S.A.A.  
United States Attorney  
Southern District of Florida  
500 E. Broward Blvd. 7th Floor.  
Ft. Lauderdale, Fla, 33394.